

SENATE BILL REPORT

SB 5278

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, February 7, 2005
Ways & Means, March 7, 2005

Title: An act relating to the ocean policy review commission.

Brief Description: Establishing the ocean policy review commission.

Sponsors: Senators Jacobsen, Kline and Fraser.

Brief History:

Committee Activity: Natural Resources, Ocean & Recreation: 1/31/05, 2/7/05 [DPS-WM].
Ways & Means: 2/23/05, 3/7/05 [DPS(NROR), w/oRec].

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: That Substitute Senate Bill No. 5278 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Oke, Ranking Minority Member; Fraser, Hargrove, Morton, Spanel, Stevens and Swecker.

Staff: Curt Gavigan (786-7437)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5278 as recommended by Committee on Natural Resources, Ocean & Recreation be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Doumit, Vice Chair; Fraser, Vice Chair; Brandland, Kohl-Welles, Pridemore, Rasmussen, Regala, Roach, Rockefeller and Thibaudeau.

Minority Report: That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Hewitt, Parlette and Schoesler.

Staff: Kirstan Arestad (786-7708)

Background: Ocean policy issues have gained significant national attention in recent years. In 2000, Congress created the United States Commission on Ocean Policy (USCOP). In its final report, issued in 2004, the USCOP recommended the creation of a National Ocean Council within the Executive Office of the President and coordination of ocean policy at the regional and state levels. The Pew Oceans Commission issued a report in 2003, recommending the creation of an ocean policy agency and regional ocean policy councils. In response to the USCOP report, the President released an Ocean Action Plan in December 2004, creating a cabinet level Committee on Ocean Policy and outlining a series of steps to improve the state of the nation's ocean waters.

Several states along the west coast have taken steps to coordinate their ocean policy. Oregon has an Ocean Policy Advisory Council (OPAC), which reviews the management plans that guide state agency actions relating to ocean resources. The OPAC also advises the governor and state agencies on ocean issues. In 2004, California passed a series of laws relating to ocean policy, including the establishment of an Ocean Protection Council to coordinate state agency activities relating to coastal waters and ecosystems and to recommend legislation. Most recently, in January 2005, Hawaii established an Ocean and Coastal Council to provide recommendations and policy guidance on ocean resources issues.

Washington state has many statutes that impact ocean policy. Additionally, many state agencies conduct activities that involve ocean resources. However, Washington has no statutory scheme, agency, or group of agencies responsible for coordinating the state's ocean policy.

Summary of Substitute Bill: The Ocean Policy Review Commission is established. Members of the committee include the Governor, Director of the Department of Fish and Wildlife, the Commissioner of Public Lands or their designees, and members of the Legislature. The Commission also includes six individuals with expertise on ocean issues to be appointed by the Governor. A working group, representing a broad range of interests, will advise the Commission. Staff to the Commission will be provided by state agencies. Additionally, the Commission may contract with the University of Washington for additional assistance.

The Commission is required to examine issues pertaining to Washington's coastal and ocean resources. The scope of the Commission's work includes evaluating the condition of the state's ocean resources, methods for improving coordination between federal, tribal, state, and local entities, methods for improving the use of scientific resources, and methods for funding ocean programs. The Commission will report immediate steps the state can take regarding ocean policy issues by December 31, 2005. The Commission will report its complete findings and recommendations by December 31, 2006.

The Coastal and Ocean Resources account is created to receive gifts, grants, and appropriations. Expenditures from the account may only be used for ocean related activities. Additionally, during the course of the Commission's work, the Governor shall represent the state on issues of ocean policy and seek federal grants and other sources of funding for Washington's ocean programs.

Substitute Bill Compared to Original Bill: The substitute bill adds four members of the Legislature to the Commission. In the substitute bill, state agencies, as opposed to independent experts, will provide staff to the Commission. Also, the substitute bill adds the requirement that, by December 31, 2005, the Commission report immediate steps the state can take to address ocean policy issues.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: Yes.

Effective Date: This bill has an emergency clause and takes effect June 1, 2005.

Testimony For (Natural Resources, Ocean & Recreation): An ocean commission would be the first step in addressing the ocean policy and resources issues facing Washington. A commission would put the state in a better position for federal funding for ocean related programs. The commission could build from recent federal action in the ocean policy area. The commission would focus on the outer coast, an area in need of increased attention.

Testimony Against (Natural Resources, Ocean & Recreation): None.

Who Testified (Natural Resources, Ocean & Recreation): PRO: Marc Hershman, University of Washington; Phil Anderson, Department of Fish and Wildlife; Gordon White, Department of Ecology; Ian Miller, Surfrider Foundation; Fred Romero, Parks and Recreation Commission; Ron Shultz, Department of Ecology; Kevin Ranker, San Juan County; Steve Robinson, NW Indian Fisheries Commission.

Testimony For (Ways & Means): The federal government is looking into ocean policy issues. It's important for Washington to be proactive in evaluating issues, not reactive. Oregon and Washington already have commissions.

Testimony Against (Ways & Means): None.

Who Testified (Ways & Means): PRO: Senator Ken Jacobsen, prime sponsor.